

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MARCUS MIAL,	:	
Plaintiff	:	
v.	:	Case No.: 1:11-cv-921
JENNIFER SHERIN, et al.,	:	
Defendants.	:	

PLAINTIFF'S RULE 16 DISCOVERY PLAN

COME NOW the Plaintiff, Marcus Mial, by and through his counsel, Thomas K. Plofchan, Jr., Esq. and Westlake Legal Group, and pursuant to the Court's April 15, 2014 Order and Rule 16 of the Federal Rules of Civil Procedure, files the following Discovery Plan:

1. Claim

Plaintiff, Marcus Mial asserts that the Defendants violated his rights as protected by the Fourth and Fourteenth Amendments and incorporates by reference the claims asserted in his Complaint. Plaintiff is seeking actual damages, punitive damages, legal fees, and expenses in this cause of action.

2. Defenses

Defendants, Sherin, Ferguson, Sayre, and Altom deny the allegations made by the Complaint and have asserted their specific defenses in their respective Answers.

3. Settlement

At this point, settlement discussions have not taken place. The Plaintiff is willing to

explore settlement possibilities as the case progresses.

4. Trial

The Plaintiff is not willing to consent to a Trial before a United States Magistrate Judge at this time.

5. Rule 26(a)(1) Disclosure

The Plaintiff requests that Rule 26(a)(1) disclosures be made on or before June 1, 2014.

6. Discovery

The Plaintiff does not see a need to vary from the limits imposed on discovery by the Amended Scheduling Order entered April 15, 2014 and governing rules. The Plaintiff reserves the right to seek additional discovery for good cause.

7. Expert Deadlines

The Plaintiff proposes the following expert disclosure schedule: Plaintiff's expert disclosures due June 1, 2014 ; Defendants' expert disclosures due June 21, 2014; Plaintiff's rebuttal expert disclosures due August 1, 2014, pursuant to the governing rules.

8. Federal Rules of Civil Procedure, Rule 26(f)(3)

Any electronically stored information that is requested in discovery shall be identified as such, but may be produced in written form unless requesting counsel, in good faith, believes that disclosure of any particular information would be more useful in an electronic format and requests electronic production. Recorded aural information (e.g., all communications involving the parties via telephone, radio, etc.) will be produced in audio format as well as via any transcript that has been made thereof.

9. Federal Rules of Civil Procedure, Rule 26(f)(4)

Any claims of privilege or protections related to trial preparation material made with regard to discovery responses will be addressed in an appropriate log. The objecting party will identify the documents and/or information which is protected and the basis for the protection in log form and produce such log to the opposing side. Information protected by the attorney-client privilege and work product may be designated in summary form, so that standard communication between client and counsel and counsel's file not be designated in particularity.

/s/

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of April, 2014, I served a copy of the foregoing Plaintiff's Rule 16 Discovery Plan via ECF and U.S. Mail on counsel for the Defendants addressed as follows:

Alexander Francuzenko
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/s/

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